

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC
RECORDING CORPORATION; ARISTA
MUSIC, fka BMG MUSIC; CAPITOL
RECORDS, LLC, fka CAPITOL RECORDS,
INC.; ELEKTRA ENTERTAINMENT
GROUP INC.; INTERSCOPE RECORDS;
LAFACE RECORDS LLC; MOTOWN
RECORD COMPANY, L.P.; PRIORITY
RECORDS LLC; SONY MUSIC
ENTERTAINMENT, fka SONY BMG
MUSIC ENTERTAINMENT; UMG
RECORDINGS, INC.; VIRGIN RECORDS
AMERICA, INC.; and WARNER BROS.
RECORDS INC.,

Plaintiffs,

v.

LIME WIRE LLC; LIME GROUP LLC;
MARK GORTON; and M.J.G. LIME WIRE
FAMILY LIMITED PARTNERSHIP,

Defendants.

06 Civ. 05936 (KMW)
ECF CASE

**PLAINTIFFS' NOTICE OF MOTION AND PLAINTIFFS' MOTION *IN LIMINE* TO
PRECLUDE EVIDENCE OR ARGUMENT INCONSISTENT WITH FACTS
ESTABLISHED AT SUMMARY JUDGMENT**

Glenn D. Pomerantz (*pro hac vice*)
Kelly M. Klaus (*pro hac vice*)
Melinda E. LeMoine
Blanca F. Young (*pro hac vice*)
Munger, Tolles & Olson LLP
355 South Grand Avenue
Los Angeles, CA 90071
(213) 683-9100
Attorneys for Plaintiffs

Date: April 14, 2011

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that as soon as counsel may be heard before the Honorable Kimba M. Wood in Courtroom 15B, United States Courthouse, 500 Pearl Street, New York, New York, all Plaintiffs in Case No. 06 Civ. 05936 (“Plaintiffs”) will and hereby do move the Court pursuant to the Federal Rules of Evidence, this Court’s Orders, and the Local Rules of the Southern District of New York, for the following relief:

- Plaintiffs’ Motion *In Limine* To Preclude Evidence Or Argument Inconsistent With Facts Established At Summary Judgment

PLEASE TAKE FURTHER NOTICE that this separate Motion is filed at the request of the Court for technical filing purposes, and it is based on the original Notice of Motion, Motion, Memoranda of Law, and Declaration of Melinda E. LeMoine filed herein on February 25, 2011, along with all accompanying evidence attached and cited therein, any Reply Memorandum in support, the court records and files, and upon such other evidence and argument that may be offered at the hearing on the Motion.

Dated: April 14, 2011

Respectfully submitted

/s/ Melinda E. LeMoine

Melinda E. LeMoine

Attorney for Plaintiffs
Munger, Tolles & Olson LLP
355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071-1560
(213) 683-9100
(213) 687-3702 (Fax)